



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,867	07/27/2000	Terry M. Laviolette	0100.0001320	2885

23418 7590 05/04/2004

VEDDER PRICE KAUFMAN & KAMMHOLZ
222 N. LASALLE STREET
CHICAGO, IL 60601

EXAMINER

HO, THE T

ART UNIT	PAPER NUMBER
----------	--------------

2126

DATE MAILED: 05/04/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/628,867

Applicant(s)

LAVIOLETTE ET AL.

Examiner

The Thanh Ho

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

1. This action is in response to the amendment filed 2/17/2004.
2. Claims 1-20 have been examined and are pending in the application.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 10-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The following terms lack antecedent basis:

- (i) "the first memory area" (line 7 claim 10).
- (ii) "the video frame buffer area" (line 15 claim 14).

B. The claim language in the following claims is not clearly understood:

- (i) it is unclear whether "the first memory area" (line 7 claim 10) and "a first memory area" (line 15 claim 10) refers to the same thing. Correction is required.
- (ii) it is unclear whether "a memory area" (line 10 claim 14) and "the video frame buffer area" (line 15 claim 14) refers to the same thing. Correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Arts (APA) in view of Hasbun U.S Patent No. 6,622,200.

As to claim 1, APA teaches a system having a first and a second video adapter (primary and secondary adapters, lines 26-27 page 3) with first and second video BIOSs (video BIOSs, line 14 page 3); a read only memory storing a system BIOS (BIOS in a ROM, lines 14-15 page 2) causes the system to identify one of the video adapters as a primary and the other as a secondary (primary and secondary adapters, lines 24-28 page 3); the system executing a POST during the system BIOS (executes a self test program referred to as POST, line 14 page 2); video adapters are used to display information on display devices (multiple video adapters for running multiple display devices, line 10 page 3). APA does not explicitly teach a processing unit and a memory. However, APA teaches the system is implemented on a typical computer (line 13 page 2). "Official Notice" is taken that both the concept and advantage of providing for a processing unit and a memory is well known and expected in the art. It would have been obvious to include these units into the system of APA because these units

provide proper working of a typical computer system. APA does not explicitly teach the step of storing the BIOSs.

Hasbun teaches a system of multiple BIOSs (the first object and the second object, lines 11-15 column 16; BIOS is treated as an object, lines 56-57 column 6) wherein the system stores the first BIOS in a first memory area (location of the first object is stored in a first data structure, lines 66-67 column 15), copies the first BIOS to a second memory area (copying the first object to form a duplicate object within the nonvolatile memory, lines 11-12 column 16), thereafter the second BIOS being stored in the first memory area (a write of a second object, an updated version, to the location of the first object, lines 14-16 column 16) thereby overwriting the first BIOS in the first memory (an erase of the first object, lines 13-14 column 16); a video driver copying the first video BIOS from the second memory to a third memory area (lines 45-62 column 25). It would have been obvious to apply the teachings of Hasbun to the system of APA because this allows the system to load the second BIOS while maintaining the first BIOS.

As to claim 2, APA as modified further teaches a motherboard stored the first video BIOS and the first video adapter (BIOS on the motherboard, lines 24-25 page 3).

As to claim 3, APA as modified further teaches an add-on board stored the second video BIOS (add-on video card, line 25 page 3); the first video BIOS is stored on the motherboard in compressed form (BIOS stored in compressed form, lines 24-25 page 3). Hasbun further teaches the first BIOS is stored in the first memory area in

decompressed form (location of the first object is stored in a first data structure, lines 66-67 column 15).

As to claim 4, it is a computer system claim of claim 3. Therefore, it is rejected for the same reasons as claim 3 above.

As to claim 5, Hasbun further teaches the second video BIOS is stored in uncompressed form (a write of a second object to the location of the first object, lines 14-16 column 16).

As to claim 6, APA as modified further teaches a portable computer (portable computer, line 24 page 3) having the first video adapter (video adapter on the motherboard, lines 26-27 page 3). APA does not explicitly teach a docking station. However, APA (lines 24-28 page 3) discloses that the portable computer connected to a system in which the add-on video card of this system is used as primary. It would have been obvious to conclude that the system is having a docking station; therefore the portable computer can be connected the system through the station to use the add-on video card.

As to claim 7, APA as modified further teaches a first display device and a second display device (multiple display devices, line 10 page 3).

As to claim 8, it is a computer system claim of claims 6-7. Therefore, it is rejected for the same reasons as claims 6-7 above.

As to claim 9, Hasbun further teaches the second memory is a frame buffer (the nonvolatile memory, lines 11-12 column 16).

As to claim 10, it is a computer system claim of claims 1-3 and 5. Therefore, it is rejected for the same reasons as claims 1-3 and 5 above.

As to claims 11-13, they are computer system claims of claims 6-8, respectively. Therefore, they are rejected for the same reasons as claims 6-8 above.

As to claim 14, it is a method claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 15, it is a method claim of claims 2-3. Therefore, it is rejected for the same reasons as claims 2-3 above.

As to claim 16, it is a method claim of claim 10. Therefore, it is rejected for the same reasons as claim 10 above.

As to claim 17, it is a method claim of claims 2-3 and 5. Therefore, it is rejected for the same reasons as claims 2-3 and 5 above.

As to claim 18, it is a method claim of claim 6. Therefore, it is rejected for the same reasons as claim 6 above.

As to claim 19, it is a method claim of claims 7-8 and 10. Therefore, it is rejected for the same reasons as claims 7-8 and 10 above.

As to claim 20, it is a method claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

Response to Arguments

5. Applicant's arguments filed have been fully considered but are moot in view of the new ground(s) rejection.

Applicant's arguments presented issues which required the Examiner to further view the previous rejection. The Examiner conducted a further search regarding the issues mentioned in Applicant's response. Therefore, all arguments regarding the cited references of the previous rejection are moot in view of the new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The Thanh Ho whose telephone number is 703-306-5540. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

Commissioner for Patents
P.O Box 1450
Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 746 – 7238
- OFFICAL faxes must be signed and sent to (703) 746 – 7239
- NON OFFICAL faxes should not be signed, please send to (703) 746 – 7240

Application/Control Number: 09/628,867
Art Unit: 2126

Page 8

TTH
April 29, 2004

A handwritten signature in black ink, appearing to read 'Meng-Al T. An', with a long horizontal flourish extending to the right.

MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100